REMARKS

This Response is submitted in answer to the Examiner's Action mailed August 16, 2005, with a shortened statutory period of three months set to expire November 16, 2005. Claims 1-27 are pending.

The Examiner rejected claims 1-5, 10-14, and 19-23 under 35 U.S.C. § 102(e) as being anticipated by U.S Patent 5,402,431 issued to *Saadeh*. This rejection is respectfully traversed.

Applicants claim a method in a logically partitioned computer system. A logically partitioned computer system is described in Applicants' specification on page 2, lines 13-17, as allowing multiple copies of a single operating system or multiple heterogeneous operating systems to be simultaneously run on a single data processing system hardware platform. A "platform" is defined by Microsoft Computer Dictionary, third edition, published 1997, as "The foundation technology of a computer system. Because computers are layered devices composed of a chip-level hardware layer, a firmware and operating-system layer, and an applications program layer, the bottommost layer of a machine is often called a platform". It is clear from this definition that "platform" is part of a single computer system. Thus, a "logically partitioned computer system" allows multiple operating systems to run on one platform which is one computer machine.

Applicants' specification provides a more detailed description of the operation of a logically partitioned computer system as it was understood in the related art at the time Applicants' patent application was filed. For example, "a partition, within which an operating system image runs, is assigned a non-overlapping subset of the platform's hardware resources". See specification page 2, lines 17-20. At page 2, lines 26-29, Applicants further state "each distinct OS or image of an OS running within the platform is protected from each other such that software errors on one logical partition can not affect the correct operation of any of the other partitions".

The phrase "logically partitioned computer system" has a commonly understood meaning in the art. The state of the art at the time this application was filed, including the operation of a logically partitioned computer system, is described in some detail by Applicants. Applicants' use of the phrase is consistent with the commonly understood meaning of the phrase. The

Examiner interpretation of the phrase is inconsistent with the commonly understood meaning of the phrase.

The Examiner states that the computer partition was interpreted as a system that is able to perform multiple tasks. This extremely broad interpretation of Applicants' claim language is not a reasonable interpretation of the phrase "logically partitioned computer system". Almost all computer systems are able to perform multiple tasks. The Examiner has used an unreasonably broad interpretation of Applicants' claim language and has ignored Applicants' claim language.

Applicants have not claimed "a computer system". Applicants have claimed a "logically partitioned computer system". A logically partitioned computer system is a particular type of computer system. By using the terms "logically partitioned", Applicants have narrowed the clams from all "computer systems" to only those that are "logically partitioned". The Examiner has ignored the "logically partitioned" terms in the claims.

The Examiner cites column 1, lines 50-67, of *Saadeh* as teaching a logically partitioned computer system. This section of *Saadeh* teaches a network operating system. The network operating system includes a network manager. The network manager relies on the network operating system to provide data to the network manager for performing tasks. See column 1, lines 53-57. Network managers have focused on the health of the network and are not well suited to analyze the health of the components of the network. See column 1, lines 57-62. Nothing in this section cited by the Examiner teaches a logically partitioned computer system.

Saadeh does not teach a logically partitioned computer system. *Saadeh* teaches multiple different computer systems. These multiple different computer systems are not a logically partitioned computer system. *Saadeh* does not anticipate Applicants' claims because *Saadeh* does not teach a logically partitioned computer system.

Applicants claim two separate systems, a logically partitioned computer system and a hardware management console that is separate from the logically partitioned computer system. A service application is executable by the hardware management console. A presence of this service application, which is executed on a hardware management console, is monitored by a service processor that is included in the logically partitioned computer system. In response to an absence of the service application, which is being executed by the hardware management console, the service partition, which is within the logically partitioned computer system, reports

an error to a system administrator of the service partition that is included in the logically partitioned computer system.

The Examiner stated that *Saadeh* teaches a hardware management console by teaching a "system manager console" referring to column 4, lines 1-20. This section of *Saadeh* teaches a remote system manager console. Applicants understand the Examiner to be referring to the remote system manager facility 34 as being analogous to Applicants' hardware management console.

Saadeh teaches a system manager that monitors signals that are generated by its computer system board. If a component experiences a failure, the system bus monitor reports the failure to a network operating system 14, a remote system manager console facility 34, via a telephone 58, or via a pager 56.

If the computer board 13 is analogous to Applicants' logically partitioned computer system, as Applicants understand the Examiner to believed, and the remote system manager 34 is analogous to Applicants' hardware management console, as the Examiner apparently believes, then the remote system manager 34 must execute a service application that is monitored by a service processor that is included in computer board 13. *Saadeh* does not teach the system manager included in a computer board 13 monitoring a presence of a service application that is executing in system manager facility 34. *Saadeh* does not teach anything in the computer board 13 monitoring anything in the remote system manager 14 at all. *Saadeh* teaches the system manager 22 monitoring devices in its computer board 13. The system manager 22 does not monitor the remote system manager 34. Therefore, *Saadeh* does not anticipate Applicants' claims.

Regarding claims 3, 12, and 21 Applicants claim outputting a signal from the service application, which is executing in the hardware management console, to the service processor, which is included in the logically partitioned computer system. The Examiner states that this is taught by *Saadeh* in column 5, lines 5-20. This section of *Saadeh* teaches the system manager reporting a failure that occurred within its computer board 13 to a pager, phone, network operating system, or remote system manager facility 34.

The Examiner appears to believe the remote system manager facility is analogous to the hardware management console. Therefore, in order to anticipate Applicants' claims, a service application executing on the hardware management console must output a signal to a service

processor that is included within a logically partitioned computer system. *Saadeh* teaches the system manager reporting a failure to the device that the Examiner believes is analogous to the hardware management console. *Saadeh* does not teach a service application that is executing within the device that the Examiner believes is analogous to the hardware management console outputting a signal. Therefore, *Saadeh* does not anticipate Applicants' claim 3, 12, or 21.

The Examiner rejected claims 6-9, 15-18, and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over *Saadeh* in view of U.S Patent 4,305,397 issued to *Weisbrod*. This rejection is respectfully traversed.

Claim 6 describes displaying a message utilizing the service partition, prompting the system administrator of the service partition to check whether the hardware management console is connected to the logically partitioned computer system, receiving an entry in response to the message, and in response to an entry that the hardware management console is disconnected from the logically partitioned computer system, displaying a message to the system administrator to reconnect the hardware management console to the logically partitioned computer system.

The Examiner stated that *Saadeh* teaches the features of the claims except for checking whether the physical link is connected to the system. The Examiner uses *Weisbrod* to supply this feature.

Neither *Weisbrod* nor *Saadeh* teaches a logically partitioned computer system. Neither *Weisbrod* nor *Saadeh* teaches a hardware management console that is separate from the logically partitioned computer system where the hardware management console executes a service application. Neither *Weisbrod* nor *Saadeh* teaches a service partition and a service processor that are included within the logically partitioned computer system. Neither *Weisbrod* nor *Saadeh* teaches monitoring a presence of the service application in the hardware management console by the service processor that is in the logically partitioned computer system. Neither *Weisbrod* nor *Saadeh* teaches the service partition that is in the logically partitioned computer system reporting an absence of the service application that is executing on the hardware management console.

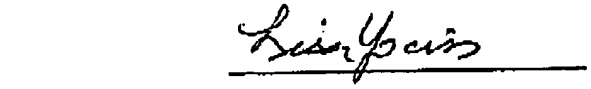
The combination of *Saadeh* and *Weisbrod* does not render Applicants' claims unpatentable because the combination does not teach displaying a message utilizing the service partition, prompting the system administrator of the service partition to check whether the hardware management console is connected to the logically partitioned computer system, receiving an entry in response to the message, and in response to an entry that the hardware

management console is disconnected from the logically partitioned computer system, displaying a message to the system administrator to reconnect the hardware management console to the logically partitioned computer system in combination with a hardware management console where a service application is executable by the hardware management console, a service partition and a service processor are included within the logically partitioned computer system, the service processor monitors a presence of the service application that is executing on the hardware management console, in response to an absence of the service application, and the service partition system is utilized to report the absence of the service application to a system administrator of the service partition.

Applicants believe the claims are in a patentable form. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 11/16/05

Respectfully submitted,



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